

RULES (25)
AND
ARTICLES
For the better
GOVERNMENT
OF THEIR
Majesties
LAND-FORCES
Within the Kingdom of
IRELAND,
During the
Present Rebellion.

Published by their Majesties Command.

DUBLIN,

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WILLIAM R.

OUR Will and Pleasure is, That you take Care that the Several Rules, Articles and Orders following, made by your Advice, for the better Government of Our Forces within Our Kingdom of Ireland, be duly Observ'd and put in Execution, upon the Pains and Penalties therein expressed.

Given at Our Court at Hampton Court the Fourteenth day of July, 1689. In the First Year of Our Reign.

To Our Right Trusty and Right Intirely Belov'd Cousin and Councillour Frederick Duke of Schonberg, Captain General of all Our Forces, and in his Absence, To the Commander in Chief of Our Forces within Our Kingdom of Ireland for the time being.

RULES AND ARTICLES

For the better Government of Their
Majesties Forces within the King-
dom of *Ireland*, during the present
Rebellion.

ART. I.



All Officers and Soldiers (not ha-
ving just Impedi-
ment) shall diligent-
ly frequent Divine
Service and Ser-
mon, in such Places as shall be ap-
pointed for the Regiment, Troop,
or Company to which they belong:
And such as either wilfully or neg-
ligently absent themselves from Di-
vine Service and Sermon to
be frequented.

The Penalty of
absenting from
Divine Service.

or Irreverent
behaviour du-
ring the same.

1. If Officers.

2. If Soldiers.

vine Service or Sermon, or else, be-
ing present, do behave themselves un-
decently or irreverently during the
same; If they be Officers, they shall
be severely reprehended at a Court-
Martial; But if private Soldiers,
they shall for every such first Offence
forfeit each man twelve pence, to be
deducted out of their next Pay; And
for the second Offence shall forfeit
twelve pence, and be laid in Irons
for twelve hours; And for every like
Offence afterwards, shall suffer and
pay in like manner.

ART II.

No Commodi-
ty to be put to
Sale in time of
Divine Service
or Sermon.

The penalty,

If any Butler or Seller of Ale,
Beer, Wine, or any sort of Drinks,
Bread, Victuals, or other Commo-
dities or Merchandize whatsoever,
attending Their Majesties Forces,
shall during the time of Divine Ser-
vice or Sermon, let any such thing
to sale, he shall forfeit the full value
thereof, for the use of the Poor.

ART:

A R T. III.

Whoſoever ſhall uſe any unlawful Oath or Excretion (whether Officer or Soldier) ſhall incur the Penalties expreſſed in the ſecond Article.

The penalty of ſwearing or curſing.

A R T. IV.

If any Officer or Soldier ſhall preſume to Blaſpheme the Holy and Undivided Trinity, or the Perſons of God the Father, God the Son, or God the Holy Ghoſt ; or ſhall preſume to ſpeak againſt any known Article of the Chriſtian Faith, he ſhall have his Tongue Bored through with a Red-hot Iron.

The penalty of Blaſpheming the Perſons of the Holy Trinity, or ſpeaking againſt any known Article of the Chriſtian Faith.

A R T. V.

If any Officer or Soldier, ſhall Abule or Proſane any Place Dedicated to the Worſhip of God, or ſhall offer Violence to any Chaplain of the Army, or any other Miniſter of Gods Word, he ſhall receive ſuch Corporal

The penalty of proſanating Churches, or offering violence to Chaplains or Miniſters.

Punishment as shall be inflicted on him by a Court-Martial.

Penalty of robbing or plundering Churches or Chapels.

And whosoever shall take any of the Utensils or Ornaments belonging or Dedicated to Gods Worship, in any Church or Chappel, shall suffer Death for the Fact.

A R T. VI,

The penalty of Drunkenness.

If any Officer shall be found Drunk the Day of his Guard, he shall be cashier'd for it; and if any Soldier shall be found Drunk when he is upon Duty, he shall receive such Corporal Punishment as a Court-Martial shall think fit; Nor shall any Officer or Soldier be allowed to excuse himself for any Fault committed by him, upon pretence of his being Drunk at any time whatsoever.

A R T. VII.

All Officers & Soldiers are to take the Oath of Fidelity.

All Officers and Soldiers, of what Quality or Condition soever, shall take the following Oath, which shall be Administred to them by such Person

Person or Persons, and in such Places as Their Majesties, Their General, Lieutenant-General, or Commander in Chief of the Forces for the time being, shall appoint.

To be administered as the King or Commander in Chief shall appoint.

The Oath of Fidelity to be taken by every Officer and Soldier in the Army.

I Swear to be True
to our Sovereign
Lord and Lady, King
W I L L I A M and
Queen *M A R Y*, and to
Serve them Honestly and
Faithfully in the Defence
of their Persons, Crown
and Dignity, against all
Their Enemies and Op-
posers

The Oath of Fidelity to be taken by all Officers and Soldiers.

posers whatsoever ; And
to observe and obey Their
Majesties Orders, and the
Orders of the Generals
and Officers set over me
by Their Majesties.

So help me God.

ART. VIII.

The penalty
of Traiterous
words against
the King and
Queen.

No Officer or Soldier shall use a-
ny Traiterous Words against the
Sacred Persons of the King and
Queens most Excellent Majesties
upon pain of Death.

ART. IX.

The penalty
of Correspond-
ing with Re-
bels or Enc-
mies.

Whoever shall hold Correspon-
dence with any Rebel or Enemy of
Their Majesties, or shall give them
Advice or Intelligence either by Let-
ters, Messages, Signs, or Tokens,
or

or any manner of way whatsoever, shall suffer Death. And whatever Regiment, Troop, or Company shall Treat with such Rebels or Enemies, or enter into any Condition with them without Their Majesties leave, or Leave of the General, Lieutenant-General, or of the Chief Commander in his absence, the Officers and Soldiers of such Regiment, Troop or Company who are found guilty, or consenting therunto, shall die for it; But whatsoever Officers or Soldiers can prove that they did their utmost to resist and avoid such a Treaty, and were no Partakers of the Crime, they shall not only go free, but shall also be Rewarded for their Constancy and Fidelity.

The penalty of Treating or entering into any Condition with them.

ART. X.

Whosoever shall go about to Excite or Perswade either Officer or Soldier to join or engage in any Traiterous or Rebellious Act, either against the Royal Persons of Their Majesties, or their Government, shall

The penalty on the Concealers and Contrivers of any Traiterous Conspiracy.

suffer

suffer Death; And whoever shall not reveal to his Superior Officer such a Conspiracy, so soon as ever it shall come to his knowledge, shall be judged equally guilty with the Contributors of such a Plot or Conspiracy, and consequently shall suffer the same Penalty.

ART. XI.

The penalty of disrespectful Behaviour, or dishonourable Words against the General, Lieutenant General or other Chief Commander.

If any Officer or Soldier shall behave himself disrespectfully towards the General, Lieutenant-General, or other Chief Commander of the Army, or speak words tending to his Hurt or Dishonour, he shall be punished according to the Nature and Quality of the Offence by the Judgment of the General Court-Martial.

ART. XII.

The penalty of Drawing a Sword in the presence of the General, Lieutenant Gene-

Whoever shall presume in the Presence of the General, Lieutenant-General, or other Commander in Chief, to draw his Sword with a purpose to do any Officer or any of his

his Fellow Soldiers mischief, shall suffer Death. ral or Commander in Chief.

ART. XIII.

Whoever shall presume to violate any safe Conduct or Protection given by Their Majesties, the General, Lieutenant General, or other Commander in Chief, shall suffer Death.

The penalty of violating a safe Conduct or protection given by Their Majesties, the General, Lieutenant General or other Chief Commander.

ART. XIV.

No man shall presume so far as to raise or cause the least Mutiny or Sedition in the Army, upon pain of Death. And if any number of Soldiers shall presume to assemble to take Counsel amongst themselves for the demanding their Pay, or shall at any time demand their Pay in a Mutinous manner, any Inferior Officers accessory thereunto, shall suffer Death for it, as the Heads and Ringleaders of such Mutinous and Seditious Meetings; And the Soldiers shall be punished with Death. And if any Captain being privy thereunto shall

Penalty of Mutiny,

Of Soldiers in Mutinies,

Of Captains not suppressing

or complaining
of Mutinies to
which they are
privy.

not suppress the same, or complain of
it, he shall likewise be punished with
Death.

ART. XV.

The Penalty of
speaking Muti-
nous and Sediti-
ous words

The penalty of
not Revealing
Mutinous
words.

No Officer or Soldier shall utter
any words tending to Sedition or
Mutiny, upon pain of Death.

And whosoever shall hear any Mu-
tinious or Seditious Words spoken,
and shall not with all possible speed
rebeal the same, to his superior Offi-
cers, shall likewise be punished with
Death.

ART. XVI.

The penalty of
Inferiour Offi-
cers or Soldiers
resisting their
superiour Of-
ficers.

If any Inferiour Officer or Sol-
dier shall refuse to obey his Superi-
our Officer, he shall be punished with
Death.

ART. XVII.

The penalty of
drawing upon
them, or stri-
king them, or

If any Officer or Soldier shall
presume to resist any Officer in the
Execution of his Office, or shall
strike,

Strike, or lift up his hand to strike, or shall draw, or offer to draw, or lift up any Weapon against his Superior Officer upon any Pretence whatsoever; he shall suffer Death.

offering to draw or strike them.

ART. XVIII.

Every Soldier shall keep Silence when the Army is Marching, Embattelling, or taking up their Quarters, (to the end that their Officers may be heard, and their Orders executed) upon pain of Imprisonment, or such other Punishment as a Court-Martial shall think fit, according to the Circumstance and Aggravation of the Fact.

Silence to be kept by all Soldiers whilst the Army is Marching, Embatteling, or taking up their Quarters.

ART. XIX.

All Murders and wilfull killing of any Person, shall be punished with Death.

ART. XX.

All Robbery and Theft committed by any Person in or belonging to the

the

the Army, shall be punished with Death.

ART. XXI.

The penalty of any mans drawing a sword but against the Enemy, whilst his Colours are flying.

Whoever shall in anger draw his sword whilst his Colours are flying, either in Battel, or upon the March, unless it be against the Enemy, shall be punished with Death.

ART. XXII.

The penalty if any one stays behind his Colours.

When any March is to be made, every man who is sworn shall follow his Colours; and whoever shall without leave stay behind, or depart above a Mile from the Camp, or out of the Army without License, shall die for it.

ART. XXIII.

The penalty of deserting or straying from their Colours,

All Officers and Soldiers that shall desert either in the field, upon a March, in Quarters, or in Garrison, shall die for it; and all Soldiers shall be reputed and suffer as Deserters.

ters who shall be found a Mile from their Garrison or Camp without leave from the Officer Commanding in Chief.

ART. XXIV.

No Officer or Soldier shall leave his Colours and List himself into any other Regiment, Troop or Company, without a Discharge from the Commander in Chief of the Regiment, Troop or Company, in which he last served, upon pain of being reputed a Deserter, and suffering Death for it; and in case any Officer shall Receive or Entertain any Non-Commission Officer or Soldier who shall have so Deserted or left his Colours without a Discharge, such Officer shall be immediately cashier'd.

No Officer or soldier shall leave his Colours without a discharge from the Commander.

ART. XXV.

No Person shall extort Free quarter, or shall commit any Waste, or Spoil, or deface Walks or Parks,

The penalty if any one extort Free Quarter, commit any

Spoil or waste,
&c. in a March.

The penalty
of Burning
Houses, Spoil-
ing Corn,
Hay. &c.

Parks, Allarrens, Fishponds, Hou-
ses, or Gardens; tread down, or o-
therwise destroy Standing Corn in
the Ear, or shall put their Horses in-
to Meadows without leave from
their Superior Officer, upon pain of
severe Punishment; But if any
Officer or Soldier shall exact Money,
or wilfully Burn any House, Barn,
Stack of Corn, Hay or Straw, or a-
ny Ship, Boat or Carriage, or any
thing which may serve for the Provi-
sion of the Army, without Order
from the Commander in Chief, he
shall suffer Death for it.

A R T. XXVI.

The penalty if
any one run
from his Co-
ours.

Whoever shall run from his Co-
ours, or doth not defend them to
the utmost of his Power, shall suffer
Death for it.

A R T. XXVII,

The penalty if
a Regiment,
&c. shall not
behave them-

If any Officers or Soldiers, Re-
giment, Troop, or Company, or
Commanded Party, shall not behave
them-

themselves in Fight against an Enemy, or in a Garrison, as they ought to do, or shall quit their Posts at any Fort, Breach or Trench without Order, or shall surrender any Town or Fortification which they are commanded to Defend, or speak words, or make any shew toward a Surrender, or Dispute the Order of the Garrison, they shall die for it.

selves as they ought to do.

ART. XXVIII.

When it shall please God that Their Majesties Forces shall beat the Enemy, every man shall follow his Officer in the Chase; but whoever shall presume to Pillage or Plunder till the Enemy be entirely beaten, he shall suffer Death, or such other Punishment as shall be pronounced against him by the General Court-Martial; and the Pillage so gotten shall be forfeited to the use of the sick and maimed Soldiers.

The penalty of plundering before the Enemy be entirely beaten.

ART. XXIX.

In what Place soever it shall please God that the Enemy shall be subdued or overcome, all the Ordnance,

The Enemies Ammunition and Victuals that shall be

taken, shall be for Their Majesties use, and a tenth part of the Spoil to be laid apart for the sick and maimed Soldiers.

nance, Ammunition and Usual that shall be there found, shall be secured for Their Majesties use, and for the better Relief of the Army; and one Tenth part of the Spoil shall be laid apart towards the Relief of the sick and maimed Soldiers.

ART. XXX.

The penalty of not keeping the Quarters clean.

All Officers whose Charge it is, shall see the Quarters kept clean and neat upon pain of severe punishment.

ART. XXXI.

The penalty of lying all night out of the Camp or Garrison.

No Officer shall lie out all Night from the Camp, Quarters or Garrison, without his Superior Officers Leave, upon pain of being punished for it as a Court-Martial shall think fit, Nor shall any Soldier or Officer go any By-way to the Camp, or other than the Common Way laid out for all, upon pain of being punished as aforesaid.

ART. XXXII.

The penalty of shooting a Musket in the night after the

No Soldier shall presume to make any alarm in the Quarters by shooting off his Musket in the Night after

ter the Watch is Set, unless it be at an Enemy; upon pain of suffering such punishment as a Court-Martial shall inflict.

Watch is set, unless at an Enemy.

ART. XXXIII.

No Soldier shall in anger draw his Sword in any Camp, Post, or Garrison, upon pain of such Corporal Punishment as a Court-Martial shall inflict upon him for the same.

The penalty of Drawing a Sword in Camp or Garrison:

ART. XXXIV.

When warning is given for Setting the Watch, by Beat of Drum, or Sound of Trumpet, if any Soldier shall Absent himself without reasonable Cause, he shall be punished by Riding the Wooden Horse, or otherwise at the Discretion of the Commander.

The penalty if a Soldier absent himself from the Watch when warning is given.

And whoever shall fail at the beating of a Drum, or sound of a Trumpet, or upon an Alarm given, to repair to his Colours, with his Arms decently kept, and well fixed (unless there be an evident necessity to hinder him from the same) he shall either be put in Irons for it, or suffer such

The penalty if a Soldier do not at the Beat of Drum, or Sound of Trumpet, or an Alarm, repair to his Colours,

other Punishment as a Court-Martial shall think fit.

ART. XXXV.

Whoever makes known the Watch word without Order, or gives any other Word but what is given by the Officer shall suffer Death.

The penalty of making known the Watch-word, or giving a false one.

ART. XXXVI.

A Centinel who shall be found sleeping in any Post, Garrison, Trench, or the like (while he should be upon his Duty) shall suffer Death.

And if a Centinel or Perdue shall forsake his Place, before he be relieved or drawn off; or upon Discovery of an Enemy, shall not give Warning to his Quarters, according to Direction, he shall suffer Death.

The penalty of a Centinel sleeping, when he should be upon Duty.

The penalty if a Centinel or Perdue forsake his Place, before he be Relieved, or Drawn off.

ART. XXXVII.

Whoever shall do violence to any who shall bring Victuals to the Camp or Garrison, or shall take his Horse or Goods, shall suffer Death.

If any shall presume to beat or abuse his Host, or the Wife, Child, or Servant of his Host, where he is Quartered,

The penalty of robbing or abusing any who bring Provisions into the Camp or Garrison.

The penalty if

Quartered, he shall be put in Irons for it : And if he do it a second time, he shall be further punished, and the Party wronged shall in both Cases have amends made him.

any Soldier abuse or beat his Host, his Hosts Wife, Child, or Servant.

And whoever shall force a Woman to abuse her (whether she belong to the Enemy, or not) and the Fact be sufficiently proved, shall suffer Death for it.

Penalty of Ravishing.

A R T. XXXVIII.

No Soldier or Officer shall use any reproachful or provoking Speech or Act to another upon pain of Imprisonment, and of asking Pardon of the Person offended; as also of such further Punishment as a Court-Martial shall think fit.

The penalty of reproachful or provoking speech or act.

No shall any Officer or Soldier presume to send a Challenge to any other Officer or Soldier to fight a Duel; Neither shall and Soldier or Officer upbraid another for refusing a Challenge; And We do acquit and discharge all Men that have Quarrels offered, or Challenges made to them, of all Disgrace, or opinion of Disadvantage, since they but do the

The penalty of sending or accepting a Challenge.

Either for Officers

Or private Soldiers.

The penalty if any Officer knowingly suffers any to go out to fight a Duel.

All Officers shall have power to part or quell all Frays, &c.

Penalty of resisting an Officer.

Duties of Soldiers, who ought to subject themselves to Discipline; and they that provoke them, shall be proceeded against as Breakers of Discipline, and Enemies to Our Services: And whoever shall offend in either of these Cases, if he be an Officer, he shall be cashiered; and if a Private Soldier, he shall Ride the Wooden Horse, and be further punished as a Court-Martial shall think fit. And if any Corporal or other Officer Commanding a Guard, shall willingly or knowingly suffer either Soldiers or Officers to go forth to a Duel, he shall be punished for it with Death.

And all Officers of what Condition soever, have power to part and quell all Quarrels, Frays, or sudden Disorders between Soldiers and Officers, though of another Company, Troop or Regiment, and to commit the Disorderly Persons to Prison, until their proper Officers be acquainted therewith.

Whoever shall resist such an Officer (though of another Company, Troop or Regiment) or draw his Sword

Sword upon him, shall be severely punished as the General Court-Martial shall appoint.

And if Two or more going into the field to fight a Duel, shall draw their Swords or other Weapons and fight, though neither of them fall upon the spot, nor die afterwards of any Wound there received, they shall be punished with Death.

And lastly, in all Cases of Duels, the Seconds, and Carriers of Challenges, shall be taken as Principals, and punished accordingly.

The Penalty of going into the Field and there drawing Swords, though no Death ensue.

The Seconds and Carriers of Challenges in all Duels, shall be reputed as Principals.

A R T. XXXIX.

All Passes and Licenses for being absent, shall be brought to the Muster-Maker, who is required to Enter the same in a Book fairly written, to prevent Collusion; And whoever is absent longer than the time limited in his Pass for his absence, shall be respited, and not allowed the Muster, without Order from Their Majesties, the General, or other Commander in Chief of Their Majesties Forces.

Those who have Passes and shall exceed the time shall not receive their pay.

ART. XL.

Sick Soldiers
are to have
care taken of
them,

If any Soldier be sick, wounded or maimed in Their Majesties Service, he shall be sent out of the Camp to some fit Place for his Recovery where he shall be provided for by the Officer appointed to take care of sick and wounded Soldiers, and his Wages or Pay shall go on and be duly paid, till it does appear that he can be no longer serviceable in the Army, and then he shall be sent by Pass to his Countrey, with Money to bear his Charges in his Travel, or such other Provision shall be made for him, as Their Majesties shall direct.

ART. XLI.

All Commissi-
ons to be En-
tred,

All Commissions granted by Their Majesties, the General, or Commander in Chief of Their Majesties Forces, to any Officer in Pay, shall be brought to the Commissary of the Muskets, and Secretary at War, who are to receive and Enter the same in a Book faithfully written; and no Commission-Officer shall be allowed

allotted in Muster, without a Commission from Their Majesties, or the Commander in Chief for the time being, and the same Entered with the Commissary-General of the Musters, or his Deputies, & Secretary at War.

A R T. XLII.

No Commission-Officer after Enrollment and being Mustered, shall be Dismissed or Cashiered without Order from Their Majesties, the General, or Commander in Chief for the time being, or a General Court-Martial: But the Captains with the approbation of their Colonels, or of the Governour of the Garrison where they are, may discharge any Non-Commission Officer, or Private Soldier, when they find cause, taking other Non-Commission Officers or Soldiers in their places; provided that such Colonel or Governour shall forthwith certifye the same to the Commissary-General of the Musters, That (by their Approbation) such Non-Commission Officers or Soldiers were discharged, and others taken into their places respectively.

And

No Commission-Officer to be Cashiered but by Order from Their Majesties, or the General, or a General Court-Martial,

But Non-Commission Officers and Soldiers may be dismissed.

And in Quarters and Garrisons where they are only single Troops or Companies, the Captains Certificates are forthwith to be sent and accepted by the Commissary General, expressing the Day of each Non-Commission Officers and Soldiers Discharge or Death, and who hath been Entertained in his place.

ART. XLIII.

Captains to keep their Troops and Companies full. No Soldiers Duty to be done by another.

All Captains shall use their utmost Endeavours to have their Troops and Companies compleat and full, and no Soldiers Duty, either of Horse or Foot, shall be done by any other then the Soldier himself; But in case of Sicknes or Disability, or other necessary cause, his Captain may dispence with his absence, without obliging him to find another to Serve in his stead.

ART. XLIV.

The penalty of pawning selling, or spoiling Arms, &c.

If any Trooper or Dragoon shall lose or spoil his Horse, or any Foot-Soldier his Arms, or any part thereof by Negligence or Gaming, he shall remain in the quality of a Pioneer

or Scavenger, till he be furnished at his own charge, with as good as were lost; And if he be not otherwise able, the one half of his Pay shall be deducted, and set apart for the providing of it till he be re-furnished.

For shall any Soldier sell, or negligently or wilfully break his Arms, or any part thereof, or any Hatchets, Spades, Shovels, Pick-Axes, or other Necessaries of War, upon pain of severe punishment, at the discretion of the General Court-Martial. And where Arms, or other Necessaries aforesaid shall be pawned, they are to be forfeited, and seized on for Their Majesties use.

The penalty of selling, or breaking Arms, &c.

ART. XLV.

All Officers and Soldiers not duly observing these Orders, and obeying of them respectively, shall be Censured, or liable to such other Punishments as Their Majesties, or Commander in Chief of the Forces, or a Court-Martial shall appoint.

The penalty of Officers & Soldiers not obeying these Orders.

ART.

ART. XLVI.

Penalty of selling or conveying away any Ammunition or Victuals.

None shall presume to spoil, sell, or convey away any Ammunition delivered unto him, upon pain of suffering death, or such other punishment as the General Court-Martial shall think fit.

ART. XLVII.

The penalty of imbezeling Victuals or Ammunition.

No Officer, Provender or keeper of the Victuals or Ammunition for Their Majesties Forces, shall imbezle or willingly spoil, or give a false Account of any part thereof to whom he is to make his Account, upon pain of suffering Death, or such other Punishment as the General Court-Martial shall think fit.

ART. XLVIII.

The penalty of providing unsound or unsavoury Victuals for the Army.

No Commissary or Victualler shall bring or furnish unto the Camp any unsound or unsavoury Victuals of what kind soever, whereby Sickness may grow in the Army, or the Service be hindered; and if upon Examination before the General Court-Martial

Marshall he shall be found guilty, he shall suffer such Punishment as they shall direct.

ART. XLIX.

No Officer or Soldier shall be a No Officer or
 Victualler in the Army, upon pain of Soldier to be a
 being punished at discretion. Victualler.

ART. L.

No Victualler or Seller of Beer, The penalty of
 Ale, or Wine belonging to the Ar- Entertaining
 my, shall entertain any Soldier in Soldiers after
 his house, Booth, Tent or Hurt af- the Tattoo, or
 ter the Warning-piece, Tattoo or before the Re-
 Beat of the Drum at night, or be- veilles in the
 fore the Beating of the Reveilles in Morning.
 the morning, Nor shall any Soldier
 within that time be any where but
 upon his Duty, or in his Quarters,
 upon pain of punishment both to the
 Soldier and Entertainer, at the
 discretion of a Court-Martial.

ART. LI.

The Commission Officers of ebe. Every Regi-
 ry Regiment may hold a Court- ment may have
 Martial for that Regiment upon all a Court-Mar-
 such tial and a Pro-

vost-Martial,
and other Offi-
cers necessary
for a Court.

such matters as the General, or
Commander in Chief of the Forces
shall allow of as proper for their
Determination.

The Probost-Martial of every
Regiment shall have the same Pri-
viledge in his own Regiment as the
Probost-Martial General hath in the
Army or Camp, and such Fees also
as the Court-Martial shall allow.

ART. LII.

The Duty of
the Judges.

Such who are Judges in a Gene-
ral Court-Martial, or in a Regi-
mental-Court-Martial, shall hold
the same Rank in those Courts as
they do in the Army for Orders sake;
and shall take an Oath in the words
following.

I *A. B.* Do Swear, that I will
duly Administer Justice accord-
ing to the Rules and Articles made
by Their Majesties for the better
Government of Their Forces within
the Kingdom of *Ireland*, without any
Partiality, Favour or Affection, and
(where the said Articles do not assign
any especial Punishment) according
to

to my Conscience, the best of my Understanding, and the Custom of War in like Cases. And I do further Swear, that I will not receive any Present or Gratuity, Directly or Indirectly, from any Person whatsoever, concerned or to be concerned in any Trial at any Court-Martial whereof I am, or shall be a Member, nor will I Divulge the Sentence of the Court, until it shall be approved by Their Majesties, the General, or Commander in Chief, neither will I upon any account, at any time whatsoever, Disclose or Discover the Vote, or Opinion of any particular Member of the Court-Martial.

So help me God.

They shall likewise demean themselves orderly in the hearing of Causes. and before giving of Sentence every Judge shall deliver his Vote or Opinion distinctly, and the Sentence is to be according to the plurality of Votes, and if there happen to be an equality of Votes, the President is to have a casting Voice.

Do

No Sentence shall be pronounced until report be made of the whole matter by the President to Their Majesties.

No Sentence shall be pronounced until Report be made of the whole matter by the President to Their Majesties, the General, or Commander in Chief for the time being, in order to receive their respective Directions therein, and when Sentence shall be pronounced, the Provost Marshal shall have a Warrant to cause Execution to be done according to Sentence.

ART. LIII.

A sworn Clerk to attend the General Court-Martial.

At a General Court-Martial there shall be a Clerk who is to be sworn to make true and faithful Records of all the Proceedings of that Court, and there shall be also such other Officers appointed both for that, and also for the Regimental Court-Martial as shall be necessary; and the General Court-Martial may appoint and limit the Fees of the Provost Marshal General as they shall think fit.

ART. LIV.

Courts-Martial to decide Military Controversies.

All controversies either between Soldiers and their Captains or other Officers

Officers, or between Soldier and Soldier relating to their Military Capacities, shall be summarily heard and determined at the next Court-Martial of the Regiment.

ART. LV.

If any Matter which shall be Judged in any of the aforesaid Regimental Courts-Martial, either of the Parties shall And himself aggrieved, he may appeal to the General Court-Martial, who are to take Care that if the Party appealing make not good his Suggestion, Recompence be made to the other for the trouble and Charge of such an Appeal.

There may be Appeal made from the Regimental Courts-Martial to the General Court-Martial.

ART. LVI.

In all Criminal Causes which concern the Crown, Their Majesties Advocate-General or Judge-Advocate of the Army, shall inform the Court and prosecute on Their Majesties behalf.

In all Criminal Causes which concern Their Majesties, Their Advocate-General is to inform and prosecute.

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ART.

ART. LVII.

The Penalty of hindring the Provost-Martial in the Execution of his Duty.

The penalty of not assisting him.

No Officers or Soldiers shall presume to hinder the Provost-Martial, his Lieutenant or Servant, in the Execution of their Office upon pain of Death, or such other Punishment as a Court-Martial shall think fit; And all Captains, Officers and Soldiers shall do their utmost to apprehend and bring to Punishment all Offenders, and shall assist the Officers of Their Majesties Army or Forces therein, especially the said Provost-Martial, his Lieutenant and Servants; and if the Provost-Martial or his Officers require the assistance of any Officer or Soldier in apprehending any Person, declaring to them that it is for a Capital Crime, and the Party escape for want of Aid and Assistance, the Party or Parties refusing to Aid or Assist shall suffer such Punishment as a Court-Martial shall think fit.

ART.

ART. LVIII.

If any Officer or Soldier shall presume to draw his Sword in any Place of Judicature while the Court is sitting, he shall suffer such Punishment as shall be inflicted on him by a Court-Martial. And the Probosc-Martial of Their Majesties Army is hereby empowered and directed by his own Authority to apprehend such Offenders.

The penalty of drawing a Sword in the place of Judicature, while they are sitting.

ART. LIX.

If any Soldier being Committed for any Offence shall break Prison, the said Probosc-Martial-General shall by his own Authority apprehend him, and the Offender shall suffer Death.

The penalty of breaking Prison.

ART. LX.

If any Fray shall happen within the Camp or place of Garrison in any of the Soldiers Lodgings, or where they

In Case of a Fray the Officers of the Regiment are to

enquire into it, and see it punished.

What an Inferior Officer must do if he be wronged.

they meet, it shall be inquired into by the Officers of the Regiment, and the Beginners and Pursuers thereof punished according to the quality of the Offence.

ART. LXI.

The penalty of an Officer forcing any thing from a Soldier.

If any Inferior Officer either of Horse or Foot, be wronged by his Officer, he may complain to his Colonel, or other Superior Officer of the Regiment, who is to redress the same, upon due Proof made of the Wrong done him; But if he fail therein, the Party grieved is to apply to the General Officer for Redress: And if the Accusation be false, the Complainant is to be punished at the discretion of a Court-Martial.

ART. LXII.

If any Colonel or Captain shall force or take any thing away from a private Soldier, such Colonel or Captain shall be punished according to the quality of the Offence, by the Judgment

Judgment of a General Court-Martial.

And if a Soldier shall be wronged, and shall not appeal to the Court, or to his Superiour Commander, but take his own Satisfaction for it, he shall be punished by the Judgment of a Court-Martial.

The penalty if a Soldier who is wronged go about to help himself.

A R T. LXIII,

If any Soldier die, no other shall take or spoil his Goods, upon pain of restoring double the value to him to whom they belong, and of such further Punishments as a Court-Martial shall think fit. But the Captain of the Company of which such a Soldier was, shall take the said Goods into his Custody, and dispose of them for paying his Quarters, and keep the overplus (if any be) for the use of those to whom they belong, and who shall claim the same within three months after his Death.

The Captain is to take care of any Soldiers Goods when he dies.

And if any Captain or Officer die, the Chief Commander shall take care of restoring his Estate in like manner.

And the Chief Commander of any Superior Officers Estate.

A R T.

ART. LXIV.

Penalty if a
Provost-Martial
refuse to
take a Prisoner
into Custody.

No Provost-Martial shall refuse to receive or keep a Prisoner committed to his Charge by Authority, or shall dismiss him without Order, upon pain of such Punishment as a Court-Martial shall think fit.

And if the Offence for which the Prisoner was apprehended deserved Death, the Provost-Martial, failing to receive and keep him as aforesaid, shall be liable to the same Punishment.

ART. LXV.

If a Person be
committed by
the Provost-
Martials own
Authority, the
Chief Com-
mander must
be acquainted
with it.

If any Person be Committed by the Provost-Martial's own Authority without other Command, he shall acquaint the General or other Chief Commander with the Cause within Twenty four Hours, and the Provost-Martial shall thereupon dismiss him, unless he have Order to the contrary.

ART.

ART. LXVI.

No man shall presume to use any **Brabing** or **Menacing Words**, **Signs** or **Gestures** where any of the aforesaid Courts of Justice are sitting upon pain of suffering such Punishment as the Court-Martial shall think fit.

The penalty of using Menacing Words, Signs or Actions in a place of Judicature.

ART. LXVII.

Whatever is to be Published or generally made known, shall be done by Beat of Drum, or the Sound of Trumpet, That no man may pretend Ignorance thereof: And if afterwards any one shall be found disobedient, or transgressing what is so Published, he shall be punished according to these Articles, or the quality of the Fact.

All things are to be made known by Beat of Drum or the Sound of Trumpet, and then obeyed.

ART. LXVIII.

All other Faults, Misdemeanours, Disorders and Crimes not mentioned

(49)

oned in these Articles, shall be punished according to the Laws and Customs of War, and discretion of the Court-Martial.

ART. LXIX.

Lastly, All the foregoing Rules and Articles shall be Read and Published at the Head of every Regiment Troop and Company, once every Month at farthest: Whereof all Majors and Adjutants of each Regiment are to take care at their Pe-
tils.

FINIS.
